

REMARKS/ARGUMENTS

Applicants respectfully request reconsideration of this application in view of the following remarks.

Claim Rejection under 35 U.S.C. § 112 ¶ 2

As amended, Applicants submit that claim 17, and claim 31 are now definite and particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Applicants therefore respectfully request removal of this rejection.

Claims 1-31 Rejection under 35 U.S.C. § 101

As amended, Applicants submit that claims 1-31 are directed to statutory subject matter. Independent claims 1 and 22, as amended, now recite a limitation of "computerized" and thus they and their dependents fall within the technological arts. Further, claims 1 and 22, as amended, now recite a "user accessible" database which an individual can use. Applicants submit that this produces a concrete tangible result. Applicants submit that as amended claims 1-31 are statutory subject matter and respectfully request removal of this rejection.

Claims 1-31 and 69-71 Rejection under 35 U.S.C. § 102(e) - Walker

The Office on page 4 states:

11. Claims 1-31 and 69-71 are rejected under 35 U.S.C.

102(e) as being anticipated by US Patent 6,134,534; Walker

et al. Conditional purchase offer management system for cruises.

To anticipate a claim, the single cited reference, must disclose "each and every element of the claimed invention."

Applicants submit that as amended, independent claims 1, 22, 69, and 70 now recite a limitation not disclosed in the Walker reference. Nowhere in the cited Walker reference is the limitation of XML discussed or disclosed.

Contrary to what the Office asserts (see 23. on page 5), a limitation of XML (which has both instances and schema) is a limitation. To categorically state that "this limitation is non-functional descriptive data as it only describes how the information is stored and not required to perform the other steps in the method nor does it change the outcome of the information that is stored" is too sweeping an assertion and misses the point. Applicants are claiming the use of XML as an element of the invention and to remove this and say that any database is equivalent to another for 102 rejection purposes is not correct. As is well recognized by those of skill in the art, a flat database is not equivalent to a hierarchical database. Their structures are different and not equivalent and a application requiring one structure is not equivalent to using the other structure. Far from being "non-functional" XML is a specific functional extensible format.

Since Walker does not disclose this limitation of Applicants' claims 1, 22, 69, and 70, Walker does not anticipate Applicants' claims 1, 22, 69, and 70. Applicants therefore respectfully request allowance of claims 1, 22, 69, and 70 and all claims dependent on these claims.

Claim 1 – Walker fails to disclose Applicants' claim limitation of “defining at least one XML (Extensible Markup Language) schema for the product information to reside.”

Claims 2, and 7 – Walker fails to disclose Applicants' claim 1 limitation of “defining at least one XML (Extensible Markup Language) schema for the product information to reside,” in further combination with Applicants' claim limitation of use by multiple establishments.

Claim 3 – Walker fails to disclose Applicants' claim 1 limitation of “defining at least one XML (Extensible Markup Language) schema for the product information to reside,” in further combination with Applicants' claim limitation of use core product information in a database.

Claim 4 – Walker fails to disclose Applicants' claim 1 limitation of “defining at least one XML (Extensible Markup Language) schema for the product information to reside,” in further combination with Applicants' claim limitation of providing access to the product information.

Claim 5 – Walker fails to disclose Applicants' claim 1 limitation of “defining at least one XML (Extensible Markup Language) schema for the product information to reside,” in further combination with Applicants' claim limitation of core traits including availability status, and price.

Claim 6 – Walker fails to disclose Applicants' claim 1 limitation of “defining at least one XML (Extensible Markup Language) schema for the product information to reside,” in further combination with Applicants' claim limitation of information displayable in a template.

Claims 8-10, 12-13, and 15 – Walker fails to disclose Applicants' claim 1 limitation of "defining at least one XML (Extensible Markup Language) schema for the product information to reside," in further combination with Applicants' claim limitation of organizing the data base in several different ways.

Claims 11, and 16 – Walker fails to disclose Applicants' claim 1 limitation of "defining at least one XML (Extensible Markup Language) schema for the product information to reside," in further combination with Applicants' claim limitation of categorizing core traits.

Claim 14 – Walker fails to disclose Applicants' claim 1 limitation of "defining at least one XML (Extensible Markup Language) schema for the product information to reside," in further combination with Applicants' claim limitation of "wherein the at least one schema removes non-core attributes from the product information."

Claim 17 – Walker fails to disclose Applicants' claim 1 limitation of "defining at least one XML (Extensible Markup Language) schema for the product information to reside," in further combination with Applicants' claim limitation of placing core trait information into a template to display to user.

Claim 18 – Walker fails to disclose Applicants' claim 1 limitation of "defining at least one XML (Extensible Markup Language) schema for the product information to reside," in

further combination with Applicants' claim limitation of rule for setting priorities to the core traits.

Claim 19 – Walker fails to disclose Applicants' claim 1 limitation of “defining at least one XML (Extensible Markup Language) schema for the product information to reside,” in further combination with Applicants' claim limitation of removing information several times.

Claims 20, and 21 – Walker fails to disclose Applicants' claim 1 limitation of “defining at least one XML (Extensible Markup Language) schema for the product information to reside,” in further combination with Applicants' claim limitation of storing digital computer communication.

Claim 22 – Walker fails to disclose Applicants' claim limitation of “applying at least one XML (Extensible Markup Language) schema.”

Claim 23 – Walker fails to disclose Applicants' claim 22 limitation of “applying at least one XML (Extensible Markup Language) schema,” in further combination with Applicants' claim limitation of core traits including availability status, and price.

Claims 24-26, and 28 – Walker fails to disclose Applicants' claim 22 limitation of “applying at least one XML (Extensible Markup Language) schema,” in further combination with Applicants' claim limitation of organizing the data base in several different ways,

Claim 27 – Walker fails to disclose Applicants' claim 22 limitation of "applying at least one XML (Extensible Markup Language) schema," in further combination with Applicants' claim limitation of use by multiple establishments.

Claim 29 – Walker fails to disclose Applicants' claim 22 limitation of "applying at least one XML (Extensible Markup Language) schema," in further combination with Applicants' claim limitation of removing information several times.

Claim 30 – Walker fails to disclose Applicants' claim 22 limitation of "applying at least one XML (Extensible Markup Language) schema," in further combination with Applicants' claim limitation of categorizing core traits.

Claim 31 – Walker fails to disclose Applicants' claim 22 limitation of "applying at least one XML (Extensible Markup Language) schema," in further combination with Applicants' claim limitation of placing core trait information into a template to display to user.

Claim 69 – Walker fails to disclose Applicants' claim limitation of "extract the core traits from the product information by applying at least one XML (Extensible Markup Language) schema wherein the at least one XML schema identifies the core traits of the source specific product information, removes any inconsistencies in the product information, and structures the core traits into categories."

Claim 70 – Walker fails to disclose Applicants' claim limitation of "at least one XML schema, wherein the at least one schema identifies the core information from the business data and stores the core information extracted from the business data in XML in the generic consistent XML database."

Claim 71 – Walker fails to disclose Applicants' claim 70 limitation of "at least one XML schema, wherein the at least one schema identifies the core information from the business data and stores the core information extracted from the business data in XML in the generic consistent XML database," in further combination with Applicants' claim limitation of "wherein the generic consistent XML database resides within the server system."

CONCLUSION

Applicant submits that the rejection of dependent claims not specifically addressed, are addressed by Applicant's arguments to the claim(s) on which they depend.

Applicant respectfully submits that all claims are in condition for allowance and requests such.

Communication via cleartext email is authorized.

Respectfully submitted,

Heimlich Law

01/09/2006

Date



Digitally signed by Alan
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